

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA**

United States of America,	)	
	)	
Plaintiff,	)	<b>ORDER</b>
	)	
vs.	)	Case Nos. 3:19-cr-222 and 3:22-mj-115
	)	
Juan Francisco Martinez,	)	
	)	
Defendant.	)	

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Before the Court are Defendant Juan Francisco Martinez's motions to recalculate good time, filed on July 20, 2022. Doc. No. 59; Doc. No. 24. The United States has not responded. Martinez seeks to correct his credit for time served calculation and claims that the Bureau of Prisons has not properly calculated his credit for time served. Id.

It is the Bureau of Prisons, and not this Court, that determines any credit a defendant may receive toward his term of imprisonment. See United States v. Pardue, 363 F.3d 695, 699 (8th Cir. 2004) (stating that the determination of credit for time served under 18 U.S.C. § 3585(b) is "properly left to the Bureau of Prisons."). As a result, the Court will not correct Martinez's credit for time served calculation. Accordingly, after careful review of the record, Martinez's motions (Doc. No. 59; Doc. No. 24) are **DENIED**.

**IT IS SO ORDERED.**

Dated this 15th day of August, 2022.

/s/ Peter D. Welte  
Peter D. Welte, Chief Judge  
United States District Court